

Message Text

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PAGE 01 STATE 098793

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FM SECSTATE WASHDC

TO AMEMBASSY BUCHAREST

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E.O. 11652:N/A

TAGS: EFIN, RO

SUBJECT: US/ROMANIAN TAX CONVENTION

REFS: A) BUCHAREST A-65, B) BUCHAREST 1521, C) BUCHAREST
1948

1. THE TEN CORRECTIONS TO THE ROMANIAN TEXT OF SUBJECT
CONVENTION PROPOSED BY GOR, REF A, HAVE BEEN EXAMINED BY
LS AND FOUND TO CONFORM WITH THE CORRESPONDING ENGLISH.
EMBASSY THEREFORE AUTHORIZED TO TRANSMIT NOTE TO FONOFF
INDICATING USG CONCURRENCE IN THESE CORRECTIONS.

2. CHANGE IN ENGLISH TEXT PROPOSED REF A SHOULD NOT BE
MADE. ARTICLE 15(2) DEFINES AN EXEMPTION WHICH IS
AVAILABLE IF EITHER ALL THE CONDITIONS SPECIFIED IN
SUBPARAGRAPHS (A) THROUGH (C) ARE MET, OR IN THE CASE OF
AN ENTERTAINER, THE CONDITIONS SPECIFIED IN SUBPARAGRAPH
(D) ARE MET. THE FORM PRESENTLY IN THE ENGLISH TEXT
CORRECTLY EXPRESSES THAT NOTION IN ENGLISH. CLOSE
EXAMINATION OF THIS ARTICLE DOES RAISE A QUESTION, HOWEVER,
OF WHETHER THE PRESENT ROMANIAN FORMULATION HAS THE SAME
MEANING. REQUEST YOU EXPLORE WITH FONOFF THE POSSIBILITY
OF INSERTING "SI" (AND) BETWEEN SUBPARAGRAPHS (B) AND (C)
IN LIEU OF THE PERIOD AS A MEANS OF CONFORMING THE TWO
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PAGE 02 STATE 098793

TEXTS IN THIS REGARD. ALTERNATIVELY, WOULD IT BE POSSIBLE

FOR THE ROMANIAN TEXT TO BE ARRANGED IN THE SAME MANNER AS

THE ENGLISH TEXT ((A); (B); (C); AND (D)). PLEASE REPORT
GOR RESPONSE ON THIS MATTER.

3. ARTICLE 15(2)(D), LINE 5 OF ROMANIAN TEXT SHOULD READ
"...IMPUNERE SI (AND) VENITUL..." INSTEAD OF "...IMPUNERE
SAU (OR) VENITUL..." TO CORRESPOND WITH ENGLISH TEXT AND
MEANING OF THIS SUBPARAGRAPH AGREED DURING NEGOTIATION.
THIS IS A SUBSTANTIVE CORRECTION WHICH EMBASSY REQUESTED
TO CONFIRM BY EXCHANGE OF NOTES.

4. REGARDING THE ROMANIAN TEXT, CORRECTION IN ARTICLE 6,
PARA (1), PENULTIMATE LINE, LS HAS RAISED THE FOLLOWING
QUESTION: SINCE "DOBINDA" (FOR ENGLISH "INTERESTS") IS
SINGULAR IN FORM, SHOULD NOT THE VERB BE "VA FI PRIVITA"
INSTEAD OF "VOR FI PRIVITE"? EMBASSY MAY WISH TO RAISE
THIS POINT INFORMALLY. IF GOR DESIRES TO MAKE THIS CHANGE,
EMBASSY AUTHORIZED TO EXCHANGE NOTES TO THIS EFFECT. RUSH

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